

Application No.: 10/570,141  
Art Unit: 2885

Amendment under 37 CFR §1.116  
Attorney Docket No.: 062189

### **REMARKS**

Please reconsider the application in view of the foregoing amendments and the following remarks.

### **Status of Claims**

Claims 8-13, 15-22, 27 and 28 are pending in the present application. Claims 8 and 15-19 are herein amended. Claim 8 has been amended to incorporate the subject matter of claim 14. Claim 14 is herein cancelled. Claims 15-19 have been amended to correct the dependency thereof. No new matter has been entered.

### **Specification**

In response to the Examiner's request, Applicants have reviewed the specification and herein request correction for the typographical errors found.

### **As to the Merits**

As to the merits of this case, the Examiner sets forth the following rejections:

Claims 8, 12, 13, 14, 16-18, 20-22, 27, & 28 were rejected under 35 U.S.C. 103(a) as being unpatentable over **Weber et al.** (USPN 6,025,897).

Claims 9, 10, 11, 15, & 19 were rejected under 35 U.S.C. 103(a) as being unpatentable over **Weber et al.** (USPN 6,025,897) in view of **Albro et al.** (USPN 6,403,223).

Each of these rejections is respectfully traversed.

### **Claim Rejections - 35 U.S.C. §103**

#### **Independent Claim 8**

A prima facie case of obviousness requires that the combination of the cited prior art, coupled with the general knowledge in the field, must provide all of the elements of the claimed invention.

Claim 8, as amended, is drawn to at least ... *a transmittance angle dependent polarizing layer (T2) ... said transmittance angle dependent polarizing layer (T2) is a polarizing element (A) in which a retardation layer (b) is inserted between at least two reflection polarizers (a) having wavelength bands, overlapped one on the other, of selective reflection of polarized light....*

For example, as illustrated in at least Fig. 11 of the present specification, as a polarization element (A), a circular polarization type reflection polarizer (a1), a retardation layer (b1) and a circular polarization type reflection polarizer (a1) are disposed in the order starting at the backlight side (the lower side) (paragraph [0060]).

On page 4 of the Final Office Action, it is alleged that “Weber et al. further discloses the transmittance angle dependent polarizing layer is a polarizing element in which a retardation layer (FIG. 4 & 14) is inserted between at least two reflection polarizer having wavelength bands (e.g., FIG. 5, 22, & 26-40), overlapped on one of the other, of selective reflection of polarized light (12).

Applicants respectfully submit that the Examiner is mischaracterizing the teachings of Weber. Specifically, in Fig. 4, Weber teaches a reflective polarizer 12 being made of alternating layers (ABABA...) of two different polymeric materials. However, Weber does not teach a retardation layer between two reflection polarizers such as reflection polarizer 12. In other words, Weber merely teaches a linear polarization type reflection polarizer which is only one layer of the transmittance angle dependent polarizing layer (T2).

In view of foregoing, Applicants submit that Weber does not disclose at least *a transmittance angle dependent polarizing layer (T2) .... said transmittance angle dependent polarizing layer (T2) is a polarizing element (A) in which a retardation layer (b) is inserted between at least two reflection polarizers (a) having wavelength bands, overlapped one on the other, of selective reflection of polarized light* as recited in amended claim 8.

Given that the cited prior art (alone or in combination) does not teach or disclose the aforesaid limitations in amended claim 8, Applicants submit that one of skill in the art would not find claims 8, 12, 13, 14, 16-18, 20-22, 27, and 28 obvious and, therefore, respectfully submit that the rejection under 35 U.S.C. §103 is improper and request that it be withdrawn.

In addition, claims 9, 10, 11, 15, and 19 by virtue of their dependency on claim 8 are also patentable, because they incorporate the distinguishing feature of independent claim 8.

### **Conclusion**

The Claims have been shown to be allowable over the prior art. Applicants believe that this paper is responsive to each and every ground of rejection cited in the Office Action dated May 12, 2009, and respectfully request favorable action in this application. The Examiner is invited to telephone the undersigned, applicants' attorney of record, to facilitate advancement of the present application.

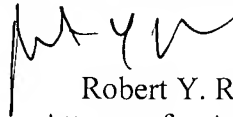
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If this paper is not timely filed, Applicants respectfully petition for an appropriate extension of time. The fees for such an extension or any other fees that may be due with respect to this paper may be charged to Deposit Account No. 50-2866.

Respectfully submitted,

**WESTERMAN, HATTORI, DANIELS & ADRIAN, LLP**



Robert Y. Raheja  
Attorney for Applicants  
Registration No. 59,274  
Telephone: (202) 822-1100  
Facsimile: (202) 822-1111

RYP/bam